

Amendments to House Bill No. 407
1st Reading Copy

Requested by Representative Margaret (Margie) MacDonald

For the House Agriculture Committee

Prepared by Dave Bohyer
February 17, 2011 (11:43am)

1. Title, line 4.

Strike: "IMPOSING"

Insert: "ALLOWING A COURT TO IMPOSE"

2. Page 1, line 12.

Strike: "Potentially" through "definitions"

Insert: "Definitions"

3. Page 1, line 15.

Following: "means"

Strike: "an"

Insert: "a public or private entity engaged in animal control or
a law enforcement"

Following: "agency"

Insert: ", as defined in 45-8-108,"

4. Page 1, line 16.

Following: "ordinances"

Insert: "within the county's or municipality's jurisdiction, as
appropriate"

5. Page 1, line 19.

Following: "a dog"

Strike: "that" through "of"

Insert: "determined by a court to be a dangerous dog pursuant to"

6. Page 1, line 21.

Following: "a dog"

Strike: "that" through "of"

Insert: "determined by a court to be a potentially dangerous dog
pursuant to"

7. Page 1, line 23.

Strike: "what constitutes"

Insert: "hearing -- court determination"

Following: "exceptions."

Insert: "(1) (a) Any person, including an individual, local government, or animal control agency, may file a request for a hearing in court seeking a determination by the court as to whether a dog is a potentially dangerous dog.

(b) If a request for a hearing has been filed pursuant to subsection (1)(a), the party requesting the hearing may not take any action to impose controls on the dog in question until after the hearing and authorization from the court."

Renumber: subsequent subsections

8. Page 1, line 24.

Strike: "(2)"

Insert: "(3)"

Following: ", "

Insert: "the court shall determine that"

Strike: "considered" through "be"

9. Page 1, line 27.

Following: "bite or"

Insert: "serious bodily"

Following: "injury"

Insert: ", as defined in 45-2-101,"

10. Page 1, line 28.

Strike: "aggressively"

11. Page 1, line 29.

Following: "kills the"

Insert: "person or"

12. Page 2, line 1.

Strike: "(1)"

Insert: "(2)"

13. Page 2, line 7 through line 8.

Following: "attack" on line 7

Strike: "or" through "property" on line 8

14. Page 2, line 9 through line 10.

Strike: "animal" on line 9 through "officer" on line 10

Insert: "court"

15. Page 2, line 10.

Strike: "(1)"

Insert: "(2)"

16. Page 2, line 11.

Following: "45-8-209"

Insert: "that, when the action occurred, was being used by a law enforcement agency, as defined in 45-8-108, as part of a canine unit engaged in the unit's regular duties"

17. Page 2, line 14.

Following: "determined"

Insert: "by a court pursuant to [section 2]"

Strike: "under [section 2]"

18. Page 2, line 15.

Following: "dog"

Strike: ", "

Insert: "or"

19. Page 2, line 16.

Following: "dog,"

Strike: "or" through "act]"

Insert: "whichever occurs first"

20. Page 2, line 19.

Strike: "appropriate"

Insert: "designated"

21. Page 2, line 22.

Strike: "appropriate"

Insert: "designated"

22. Page 2, line 23.

Following: "fence"

Insert: "at least 6 feet high"

23. Page 2, line 24.

Strike: "and height"

24. Page 2, line 30.

Strike: "appropriate"

Insert: "designated"

25. Page 3, line 1.

Strike: "appropriate"

Insert: "designated"

26. Page 3, line 4.

Strike: "appropriate"

Insert: "designated"

27. Page 3, line 7.

Strike: "what constitutes"

Insert: "hearing -- court determination"

Following: "exceptions."

Insert: "(1) (a) Any person, including an individual, local government, or animal control agency, may file a request for a hearing in court seeking a determination by the court as to whether a dog is a dangerous dog.

(b) If a request for a hearing has been filed pursuant to subsection (1)(a), the party requesting the hearing may not take any action to impose controls on the dog in question until after the hearing and authorization from the court."

Renumber: subsequent subsections

28. Page 3, line 8.

Strike: "(2)"

Insert: "(3)"

Following: ", "

Insert: "the court shall determine that"

Strike: "considered" through "be"

29. Page 3, line 10.

Following: "section 2"

Strike: "(1)"

Insert: "(2)"

30. Page 3, line 17 and 18.

Strike: "(1)(a)" on line 17 through "(1)(c)" on line 18

Insert: "(2)(a) through (2)(c)"

31. Page 3, line 18.

Following: "section 2"

Strike: "(2)"

Insert: "(3)"

32. Page 3, line 21.

Following: "determined"

Insert: "by a court pursuant to [section 4]"

Strike: "under [section 4]"

33. Page 3, line 22.

Following: "dog"

Strike: ", "

Insert: "or"

34. Page 3, line 23.

Following: "dog,"

Strike: "or" through "act]"

Insert: "whichever occurs first"

35. Page 3, line 26.

Following: "may"

Insert: "prohibit or"

36. Page 3, line 29.

Strike: "appropriate"

Insert: "designated"

37. Page 4, line 1.

Strike: "appropriate"

Insert: "designated"

38. Page 4, line 2.

Following: "pen"

Insert: "that is at least 6 feet high"

Strike: "or"

Insert: "a"

39. Page 4, line 3.

Following: "entry"

Insert: "."

Strike: "and that is"

Insert: "The pen or structure must be"

40. Page 4, line 17.

Following: "insurance"

Insert: "or a state-approved surety bond"

41. Page 4, line 18.

Following: "insurance"

Insert: "or surety bond"

Following: "alive"

Insert: "and in Montana"

42. Page 4, lines 18 and 19.

Following: "The" on line 18

Strike: "policy" through "to" on line 19

Insert: "dog owner shall"

43. Page 4, line 19.

Strike: "appropriate"

Insert: "designated"

Following: "agency"

Strike: "no more than"

Insert: "at least"

Strike: "after"

Insert: "before"

44. Page 4, line 20.

Following: "policy"

Insert: "or surety bond"

45. Page 4, line 21.

Strike: "appropriate"

Insert: "designated"

46. Page 4, line 22.

Following: "address"

Insert: ", change of location where the dog is kept,"

Strike: "appropriate"

Insert: "designated"

47. Page 4, line 25.

Strike: "an appropriate"

Insert: "a designated"

48. Page 4, line 26.

Following: "allow"

Insert: "reasonable"

Strike: "appropriate"

Insert: "designated"

49. Page 4, line 27.

Following: "or"

Insert: "by a"

Following: "enforcement agency"

Insert: ", as defined in 45-8-108,"

50. Page 5, line 10.

Strike: "dog"

Insert: "animal"

51. Page 5, line 27.

Strike: "located" through "town"

52. Page 5, line 28

Following: "~~viciousness~~"

Insert: "the dog owner's knowledge of"

- END -